

By Mr. RUBEN: A bill (H. R. 13526) granting a pension to Walter Skeen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13527) granting a pension to Benjamin F. Duniwin; to the Committee on Invalid Pensions.

By Mr. SHEPPARD: A bill (H. R. 13528) for the relief of the heirs of Elisha Oliver, deceased; to the Committee on War Claims.

By Mr. TALCOTT of New York: A bill (H. R. 13529) granting a pension to William S. Dufur; to the Committee on Invalid Pensions.

By Mr. WHITACRE: A bill (H. R. 13530) granting a pension to Harvey O. Zerbe; to the Committee on Invalid Pensions.

By Mr. WICKLIFFE: A bill (H. R. 13531) granting a pension to Richard P. Ayraud; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL of Georgia: Petitions and memorials of numerous citizens throughout the country to accompany House bill 9449, to amend the Hepburn Act; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER of Vermont: Petitions of 66 citizens of Vermont, urging the creation of a national department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Petition of Grand Lodge No. 2, Independent Order of B'nai B'rith, concerning treatment of American citizens of Jewish faith by Russia; to the Committee on Foreign Affairs.

By Mr. KAHN: Resolutions adopted by the California State Homeopathic Medical Society, in favor of House bill 5599; to the Committee on Interstate and Foreign Commerce.

By Mr. KINDRED: Petition of Herklotz, Corn & Co., of New York, N. Y., in behalf of the Louisiana sugar planters, against any reduction of the present sugar schedules; to the Committee on Ways and Means.

Also, resolution of Arizona Woolgrowers' Association, against changes and reductions in tariff schedules on wool and meats; to the Committee on Ways and Means.

Also, resolution of District Grand Lodge, No. 2, B'nai B'rith, pointing out the discriminations made by the Russian Government against American citizens of the Jewish faith; to the Committee on Foreign Affairs.

By Mr. MOON of Tennessee: Papers to accompany House bill 12347; to the Committee on War Claims.

By Mr. RAKER: Papers to accompany House bill 12502; to the Committee on Claims.

By Mr. J. M. C. SMITH: Papers to accompany House bills 12011 and 12102; to the Committee on Military Affairs.

By Mr. UTTER: Papers to accompany House bills 11358 and 12997; to the Committee on Invalid Pensions.

Also, petition of Sarah W. Wilcox to accompany House bill 11307; to the Committee on Pensions.

Also, resolutions of the State Board of Health of Rhode Island, regretting the proposed removal of the Chief of the Bureau of Chemistry, Department of Agriculture, and urging full consideration of his official acts; to the Committee on Expenditures in the Department of Agriculture.

SENATE.

SATURDAY, August 12, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

NATIONAL MONETARY COMMISSION.

The VICE PRESIDENT. The Chair lays before the Senate the following telegram, which will be read by the Secretary.

The telegram was read, and ordered to lie on the table, as follows:

JAMES S. SHERMAN,
Vice President of the United States, Washington, D. C.

I hereby tender my resignation as a member of the National Monetary Commission.

FRANK P. FLINT.

PRINTING OF ARBITRATION TREATIES.

Mr. LODGE. I ask that the two treaties of arbitration with France and Great Britain, from which the injunction of secrecy has been removed, be printed as separate Senate documents. There is a great demand for copies from the document room. (S. Docs. Nos. 91, 92, 93, and 94.)

The VICE PRESIDENT. The order will be entered as requested, without objection. No objection is heard.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of the Merchants and Manufacturers' Association of Baltimore, Md., remonstrating against certain information being given assessment companies and others as to returns made by corporations, which was referred to the Committee on Finance.

Mr. O'GORMAN presented 115 petitions of citizens of New York City, N. Y., and petitions of sundry citizens of Brooklyn, N. Y., praying for the repeal of the duty on lemons, which were ordered to lie on the table.

Mr. BURTON presented a petition of sundry citizens of Salem, Ohio, praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

COUNTING A QUORUM.

Mr. BACON. Mr. President, my attention was diverted, and I do not know whether the Journal has reference to the particular matter to which I now wish to ask the attention of the Senate.

I was necessarily absent yesterday on business of the Senate, and was not present when certain action was taken which I find in the Record, on page 3827, and which I will read. After giving the names of the Senators voting and not voting upon the proposition presented, the Record is as follows:

The VICE PRESIDENT. Six Senators, the Senator from Wyoming [Mr. CLARK], the Senator from Kansas [Mr. CURTIS], the Senator from South Carolina [Mr. SMITH], the Senator from New Jersey [Mr. BRIGGS], the Senator from Vermont [Mr. DILLINGHAM], and the Senator from Mississippi [Mr. WILLIAMS], having announced that they refrained from voting because of their pairs, making the announcement individually in each case, the number voting, with those six, discloses the presence of a quorum. The yeas have it, and the motion of the Senator from Utah [Mr. SMOOT] is lost.

I do not desire, Mr. President, to take any action by making any motion in regard to it, but I am unwilling that that should pass without dissent; otherwise it might hereafter be taken as an action of the Senate sub silentio. I simply desire to call attention to the fact that this question in its substantial form was before the Senate on the 19th day of December last, when a similar ruling was made by the Chair; that the then Senator from Maine, Mr. Hale, appealed from the decision of the Chair, and the vote was taken on that appeal by yeas and nays; and the result was that the Senate, by a vote of 37 yeas to 17 nays, decided that the decision of the Chair should not stand as the judgment of the Senate.

I repeat, I do not now desire to raise any issue upon it or to make a motion in regard thereto. As stated by Mr. Hale, the former Senator from Maine, upon that occasion the ruling was without precedent in the history of the Senate, and he appealed from it. I content myself simply with calling attention to it now, because I do not wish that by passing it without its being challenged it should appear to have had the sanction of the Senate, even in a negative or, rather, in a passive way.

The VICE PRESIDENT. Reports of committees are in order.

REPORTS OF COMMITTEE ON COMMERCE.

Mr. MARTIN of Virginia, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 6747. An act to reenact an act authorizing the construction of a bridge across St. Croix River, and to extend the time for commencing and completing the said structure (Rept. No. 135);

H. R. 4682. An act authorizing the construction of a bridge and approaches thereto across the Tug Fork of the Big Sandy River at or near Glenhayes Station, in Wayne County, W. Va. (Rept. No. 136);

H. R. 7690. An act to authorize the construction of a bridge across the Snake River at the town of Nyssa, Oreg. (Rept. No. 137);

H. R. 7263. An act to authorize the counties of Bradley and McMinn, Tenn., by authority of their county courts, to construct a bridge across the Hiwassee River at Charleston and Calhoun, in said counties (Rept. No. 138);

H. R. 8146. An act to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois (Rept. No. 139); and

H. R. 11723. An act permitting the building of a railroad bridge across the St. Croix River between Burnett County, Wis., and Pine County, Minn. (Rept. No. 140).

CLAIMS OF KENTUCKY.

Mr. CRAWFORD. I am directed by the Committee on Claims to report favorably a resolution sending to the Court of Claims a couple of cases in which it is necessary to make corrections

in titles, the matter having already gone there, but there being a mistake in the titles.

The resolution (S. Res. 134) was read, as follows:

Resolved, That the claims of the county of Nelson, State of Kentucky (S. 396), and the Methodist Episcopal Church of Louisa, Ky. (S. 895), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and commonly known as the Tucker Act. And the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMOOT. I should like to ask the chairman of the committee whether this is a special case, or whether he desires to have it reported differently from what has always been done in the past.

Mr. CRAWFORD. These cases have already been referred to the Court of Claims, but there are defects in the titles, and the court requested that the correction be made. This resolution is sending the matter over with the correct titles.

Mr. SMOOT. Simply correcting the titles?

Mr. CRAWFORD. That is all.

Mr. SMOOT. I have no objection.

The resolution was considered by unanimous consent and agreed to.

PORT OF BROWNSVILLE, TEX.

Mr. NELSON. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 2925) to extend the privileges of the act approved June 10, 1880, to the port of Brownsville, Tex. I call the attention of the Senator from Texas [Mr. CULBERSON] to the bill.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Secretary will read the bill for information.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SENATOR FROM WISCONSIN.

Mr. DILLINGHAM. From the Committee on Privileges and Elections I report a resolution, and I desire to say that I do so under the direction of that committee at a meeting held this morning.

The VICE PRESIDENT. The Senator from Vermont reports from the Committee on Privileges and Elections a resolution, which the Secretary will read.

The Secretary read the resolution (S. Res. 136), as follows:

Resolved, That the Senate Committee on Privileges and Elections, or any subcommittee thereof, be authorized and directed to investigate certain charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, and to report to the Senate whether in the election of said ISAAC STEPHENSON as a Senator of the United States from the said State of Wisconsin there were used or employed corrupt methods or practices; that said committee or subcommittee be authorized to sit during the recess of the Senate, to hold its session at such place or places as it shall deem most convenient for the purposes of the investigation, to employ stenographers, to send for persons and papers, and to administer oaths; and that the expenses of the inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee or chairman of the subcommittee.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

FLORIDA EAST COAST RAILWAY CELEBRATION.

Mr. ROOT. I am directed by the Committee on Industrial Expositions, to which was referred Senate concurrent resolution No. 7, submitted by the Senator from Florida [Mr. FLETCHER], relative to the celebration in January, 1912, at Key West, Fla., to report it with an amendment in the nature of a substitute, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the resolution for the information of the Senate.

The Secretary read the substitute, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to transmit in the name and on behalf of the city of Key West, Fla., to all foreign nations an invitation to visit that city and participate in the celebration of the completion of the Florida East Coast Railway Co.'s line connecting the mainland of the United States with the said island city of Key West, both by their official representatives and citizens generally, and particularly to invite such foreign countries to send such of their respective naval vessels as may be practicable and convenient to participate in such celebration so to be held, beginning on the 2d day of January, A. D. 1912: *Provided*, That before the

extending of said invitations the President shall be satisfied that suitable provisions have been made by said city for the entertainment of the parties or representatives of such governments or countries so invited.

Resolved further, That the President be, and he is hereby, requested to direct such portion of the Army and Navy of the United States as may be convenient and practicable to be present at Key West at the time of such proposed celebration and participate therein.

Resolved further, That under no circumstances is the United States to assume, be subject to, or charged with any expense of any character whatsoever in or about or connected with such proposed celebration.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRYAN:

A bill (S. 3212) to provide for the purchase of additional ground for the site of the public building in the city of Pensacola, in the State of Florida; to the Committee on Public Buildings and Grounds.

By Mr. WETMORE:

A bill (S. 3213) granting an increase of pension to Frances E. Peabody (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 3214) granting a pension to John T. Drinkwater (with accompanying papers);

A bill (S. 3215) granting an increase of pension to Benjamin F. Dickover (with accompanying papers); and

A bill (S. 3216) granting an increase of pension to Robert F. Catterson (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 3217) for the relief of Robert Letherby; to the Committee on Military Affairs.

THE COTTON SCHEDULE.

Mr. CUMMINS. I propose certain amendments to House bill 12812, being the bill for the revision of the cotton schedule, which I send to the desk and ask to have printed and lie on the table.

The VICE PRESIDENT. The proposed amendments will be printed and lie on the table.

Mr. OVERMAN. I submit certain amendments to House bill 12812. They propose a revision of the chemical schedule, reducing the rate 25 per cent on an ad valorem basis from the present duty.

The VICE PRESIDENT. The amendments will be printed and lie on the table.

EXTRA MONTH'S PAY TO EMPLOYEES.

Mr. CLAPP. I introduce a joint resolution, and, as I understand it ought to be disposed of in the manner I request, I ask unanimous consent for its present consideration.

The joint resolution (S. J. Res. 54) to reimburse the officers and employees of the Senate for mileage and expenses incident to the first session of the Sixty-second Congress, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to the officers and employees of the Senate borne on the annual and session rolls on the first day of July, 1911, including the official reporters of the Senate and W. A. Smith, CONGRESSIONAL RECORD Clerk, as reimbursement for mileage and expenses and for extra services during the first session of the Sixty-second Congress a sum equal to one month's pay at the compensation then paid to them by law, the same to be paid out of any moneys in the Treasury not otherwise appropriated, and to be immediately available.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. SMOOT. I should like to have the joint resolution go over.

Mr. CLAPP. I have no objection to its going over, Mr. President.

The VICE PRESIDENT. The Senator from Utah objects, and the joint resolution goes over.

COTTON-CROP STATISTICS.

Mr. SMITH of South Carolina. I submit a resolution and ask unanimous consent for its present consideration.

The resolution (S. Res. 135) was read, as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, instructed to furnish to the Senate detailed information as to the methods employed in obtaining a report on the condition of the growing cotton crop; the persons employed in obtaining such information, their names, and post-office addresses, by States;

Also, the classes into which these reporting agents are subdivided;

Also, all information as to the methods employed in arriving at an estimate of the probable yield of the cotton crop from the condition of the growing crop;

Also, the method employed in arriving at the increase or decrease in acreage planted to cotton from year to year.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. BURTON. I should like to ask what is the purpose of the resolution? What is the use to be made of the information?

Mr. SMITH of South Carolina. All those who are interested in the cotton-crop reports have no detailed information as to the method by which they are arrived at, and we merely want that information for our benefit.

I will state to the Senator from Ohio also that it is essential for us to get the proper persons to report on the conditions of the crop. The head of the department is not as familiar as Members here about getting the information, and we could in that way aid him materially in procuring it.

Mr. BURTON. Would it not be possible that local interest would be brought to bear to modify the reports if the names were known and that the department would thereby be embarrassed?

Mr. SMITH of South Carolina. I do not think that that could possibly be the case. Involving large interests, as the cotton crop involves, I can not see how it would embarrass anyone or how it would cause any less fair report. In fact, it would operate toward having a fair report if the names of the individuals become known. I know the conditions in my State, and I know that a fair and just report would be more easily obtained if the proper individuals were employed to report. Besides, if the effort I am making succeeds, involving, as it does, the method of arriving at the condition of the crop, the fact would be known to the Senate. I am quite sure those on this side of the Chamber who are interested in the production of cotton have no detailed information as to how the report is arrived at.

Mr. BURTON. I will ask the Senator from South Carolina, if he will yield for that purpose, whether there has ever been any difficulty in obtaining the names of the reporters or the sources of information from the Agricultural Department? Could not that information be obtained readily by consultation with the Secretary of Agriculture, and in such consultation could not the question be considered whether the accuracy of the statistics might not be impaired by giving out this detailed information?

Mr. SMITH of South Carolina. I should like to state to the Senator from Ohio that where the names are known the proper weight can be given by the trade to the report; and there are some instances, I am sure, where persons are not familiar enough with cotton cultivation and the production of cotton to give the proper information to the Agricultural Department. I think that will be found to be the experience of practically everyone.

Mr. BURTON. I do not think I shall object to the resolution being called up on Monday, but I should like to have it go over for a day, in order that it may be examined.

The VICE PRESIDENT. On the objection of the Senator from Ohio, the resolution goes over until the next legislative day.

NATIONAL MONETARY COMMISSION.

The VICE PRESIDENT. The morning business is closed.

Mr. CUMMINS. I move that the Senate proceed to the consideration of the bill (S. 854) to require the National Monetary Commission to make final report on or before December 4, 1911, and to repeal sections 17, 18, and 19 of the act entitled "An act to amend the national banking laws," approved May 30, 1908, the repeal to take effect December 5, 1911.

The motion was agreed to.

FUNDS OF THE KIOWA, COMANCHE, AND APACHE INDIANS.

Mr. OWEN. I ask unanimous consent for the present consideration of the bill (S. 3115) to authorize the Secretary of the Interior to withdraw from the Treasury of the United States the funds of the Kiowa, Comanche, and Apache Indians, and for other purposes. It is a bill the passage of which is desired by the Department of the Interior.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CURTIS. I object, unless the amendment to the bill I have heretofore suggested be made.

Mr. OWEN. I have an amendment that I am going to propose, which will meet the wishes of the Senator from Kansas.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Indian Affairs with amendments. The first amendment was, on page 1, line 5, before the words "the funds," to insert the words "so much of."

Mr. OWEN. There I should like to have inserted the words "an amount not to exceed \$50 per capita out of" in lieu of the words "so much of."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the committee amendment on page 1, line 5, by striking out the words "so much of" and inserting in lieu thereof the words "an amount not to exceed \$50 per capita out of."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Indian Affairs was, on page 1, line 6, after the word "Oklahoma," to strike out the words "or so much thereof."

Mr. OWEN. I move to amend the amendment of the committee, in line 6, after the word "thereof," by striking out the words "as he may deem necessary."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Indian Affairs was, on page 1, in line 8, after the word "Oklahoma," to insert the words "nearest the home of said Indians," and, on page 2, line 2, after the words "Secretary of the Interior," to strike out the word "shall."

The amendment was agreed to.

The next amendment was, on page 2, line 4, after the word "Indians," to insert:

Provided, That this shall not apply to the Apache, Kiowa, and Comanche 4 per cent fund of approximately \$2,600,000 now on deposit in the United States Treasury under the act of June 5, 1906 (34 Stat., p. 213), or subsequent acts of Congress.

The amendment was agreed to.

Mr. CURTIS. Now, Mr. President, I should like to have the bill read as amended.

The VICE PRESIDENT. The Secretary will read the bill as amended.

The Secretary read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States an amount not to exceed \$50 per capita out of the funds of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma, and deposit the same in such banks of Oklahoma nearest the home of said Indians as he may select, under such regulations as he may prescribe, and thereafter use so much of the said funds for the benefit of said Indians as he may deem proper: *Provided*, That the Secretary of the Interior report to Congress at its next session the amount of such funds so used for the benefit of said Indians: *Provided*, That this shall not apply to the Apache, Kiowa, and Comanche 4 per cent fund of approximately \$2,600,000 now on deposit in the United States Treasury under the act of June 5, 1906 (34 Stat., p. 213), or subsequent acts of Congress.

Mr. CURTIS. Mr. President, I think it would be better to provide for a direct payment, but I have no objection to the money going into the banks and letting it be paid out as the Secretary of the Interior may see fit. The intention, however, as I understand, is to make a payment to relieve those Indians from their unfortunate condition, the result of a drought down there.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL MONETARY COMMISSION.

The Senate, as in Committee of the Whole, resumed consideration of the bill (S. 854) to require the National Monetary Commission to make final report on or before December 4, 1911, and to repeal sections 17, 18, and 19 of the act entitled "An act to amend the national banking laws," approved May 30, 1908, the repeal to take effect December 5, 1911.

Mr. BURTON. Mr. President, I ask unanimous consent that a vote be taken on the bill and all amendments thereto at 1 o'clock and 45 minutes p. m. on Monday next. I make this request with the hope that an hour, or perhaps more, will be available after the termination of morning business on Monday for further discussion of the bill. I should like to occupy some considerable time myself.

Mr. CUMMINS. Mr. President, does the Senator from Ohio mean that he desires to occupy time for debate on Monday after 1.45 or before that hour?

Mr. BURTON. Before that hour.

Mr. CUMMINS. I hope very much that the request of the Senator from Ohio will be granted.

The VICE PRESIDENT. Is it the intention of the Senator from Ohio that at 1.45 p. m., on Monday next, the vote shall be taken without further debate?

Mr. BURTON. That the vote be taken without further debate on the bill and all amendments thereto at the time named.

The VICE PRESIDENT. The Senator from Ohio asks unanimous consent that on Monday next, at 1 o'clock and 45 minutes p. m., without further debate, a vote be taken upon Senate bill 854 and upon the pending amendment and any amendments to be offered to its final disposition. Is there objection?

Mr. CUMMINS. Mr. President, I do not rise to object, but I rise to express the hope that the request of the Senator from Ohio will receive the approval of all Senators. It is not my purpose in this bill to disparage the work of the commission. I very much want the Senate to utilize the accumulated facts which the commission has gathered during the course of its investigation. I do want a report, and a report speedily, so that Congress can do whatsoever is necessary to remedy the defects in our financial system.

The VICE PRESIDENT. Is there objection to the request of the Senator from Ohio [Mr. BURTON]? The Chair hears none, and the order is entered.

THE COTTON SCHEDULE.

Mr. SMOOT. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 112, being the bill (H. R. 12812) to reduce the duties on manufactures of cotton.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CUMMINS. Mr. President, I now offer the amendment which I sent to the Secretary's desk a few minutes ago, which I ask to have read. I desire the amendment relating to the revision of the metal schedule to be first read.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to add a new section to the bill, as follows:

Sec. —. The act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," is hereby amended by striking out paragraph 121 of Schedule C thereof and inserting the following:

"121. Beams, girders, joists, angles, car-truck channels, T. T. columns and posts, or parts or sections of columns and posts, deck and bulb beams and building forms, together with all other structural shapes of iron or steel, whether plain, punched, or fitted for use, or whether assembled and manufactured, one-quarter of 1 cent per pound.

The said Schedule C in the act aforesaid, being paragraphs 117 to 199, both inclusive, is hereby further amended as follows, to wit:

"From and after the passage of this act there shall be levied, collected, and paid upon the articles mentioned in paragraphs 117 to 151, inclusive, 159 to 163, inclusive, and 171 of said Schedule C, when imported from any foreign country into the United States, or into any of its possessions (except the Philippine Islands and the Islands of Guam and Tutuila), 60 per cent only of the rates of duty which are in and by said paragraphs of said schedule prescribed; but the foregoing shall not apply to paragraph 121, which is hereinbefore repealed and a substitute reenacted therefor."

That from and after the passage of this act there shall be levied, collected, and paid upon the articles mentioned in paragraphs 152 to 158, inclusive, 164 to 170, inclusive, 172 to 199, inclusive, of said Schedule C, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the Islands of Guam and Tutuila) 70 per cent only of the rates of duty which are in and by said paragraphs of said schedule prescribed: *Provided, however*, That if any article embraced in said schedule shall by an act of Congress passed by the Sixty-second Congress, second session, be placed on the free list, this act shall not apply thereto.

The VICE PRESIDENT. Does the Senator desire the amendment acted upon at once?

Mr. CUMMINS. I desire, Mr. President, to address the Senate at some length, as briefly as possible, however, upon this amendment.

Mr. CULLOM. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Illinois?

Mr. CUMMINS. I yield to the Senator from Illinois.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 25 minutes spent in executive session the doors were reopened.

THE COTTON SCHEDULE.

Mr. SMOOT. I understand that the cotton bill is the unfinished business.

The VICE PRESIDENT. No; it is not yet, unless it was the understanding of the Senate that the unanimous-consent agreement did away with Senate bill No. 854, which was under consideration as the unfinished business.

Mr. CUMMINS. So far as I am concerned, it was my understanding that the bill relating to the Monetary Commission should be displaced as the unfinished business.

The VICE PRESIDENT. The Chair thinks that was the understanding of the Senate.

Mr. SMOOT. If there is any doubt about it, I will move to take up the bill (H. R. 12812) to reduce the duties on manufactures of cotton.

The VICE PRESIDENT. Without objection, the motion will be entered as agreed to.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12812) to reduce the duties on manufactures of cotton.

Mr. CUMMINS. Mr. President, it is not expected, I believe, that the session shall continue for any great length of time this afternoon. I do not want to enter upon the address that I have in my mind to make upon the amendment to the bill now under consideration. I ask that the Secretary shall report the amendment I have proposed.

The VICE PRESIDENT. Without objection, the Secretary will read the amendment.

The Secretary again read Mr. CUMMINS's amendment.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 2932. An act to authorize the Secretary of the Treasury, in his discretion, to sell the old post-office and courthouse building at Charleston, W. Va., and, in the event of such sale, to enter into a contract for the construction of a suitable post-office and courthouse building at Charleston, W. Va., without additional cost to the Government of the United States; and

S. 3152. An act extending the time of payment to certain homesteaders in the Rosebud Indian Reservation, in the State of South Dakota.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 11303. An act for the relief of Eliza Choteau Roscamp;

H. R. 13120. An act to transfer a portion of Fort Clark Military Reservation to the State of Texas for a tuberculosis sanitarium; and

H. J. Res. 146. Joint resolution for appointment of a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The message further requested the Senate to furnish the House with a duplicate engrossed copy of the joint resolution (H. J. Res. 31) authorizing the Secretary of War to loan certain tents for use of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911, the original having been lost or mislaid.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 144. An act to legalize a bridge across the Pend Oreille River, in Stevens County, Wash.;

S. 850. An act to amend an act entitled "An act to legalize and establish a pontoon railway bridge across the Mississippi River at Prairie du Chien, and to authorize the construction of a similar bridge at or near Clinton, Iowa," approved June 6, 1874;

S. 1627. An act to authorize the construction, maintenance, and operation of a bridge across and over the Arkansas River, and for other purposes;

S. 2495. An act to define and classify health, accident, and death benefit companies and associations operating in the District of Columbia, and to amend section 653 of the Code of Law for the District of Columbia;

S. 2766. An act to authorize the St. Louis, Iron Mountain & Southern Railway Co. to construct and operate a bridge across the St. Francis River, in the State of Arkansas, and for other purposes;

S. 2878. An act to authorize the Chicago, Lake Shore & Eastern Railway Co. to construct a bridge across the Calumet River, in the State of Indiana;

H. R. 6098. An act to authorize the Campbell Lumber Co. to construct a bridge across the St. Francis River from a point in Dunklin County, Mo., to a point in Clay County, Ark.;

H. R. 11021. An act to authorize the Lavitte Land & Lumber Co. to construct a bridge across Bayou Bartholomew, in Drew County, Ark.; and

H. R. 11477. An act authorizing the construction of a bridge, and approaches thereto, across the Tug Fork of the Big Sandy River at or near Matewan Station, in Mingo County, W. Va.

HOUSE BILLS REFERRED.

H. R. 11303. An act for the relief of Eliza Choteau Roscamp was read twice by its title and referred to the Committee on Indian Affairs.

The following bill and joint resolution were read twice by their titles and referred to the Committee on Military Affairs:

H. R. 13120. An act to transfer a portion of Fort Clark Military Reservation to the State of Texas for a tuberculosis sanitarium; and

H. J. Res. 146. Joint resolution for appointment of a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

ASTORIA (OREG.) CENTENNIAL.

The VICE PRESIDENT laid before the Senate the request of the House of Representatives for a duplicate engrossed copy of the joint resolution (S. J. Res. 31) authorizing the Secretary of War to loan certain tents for use of the Astoria Centennial, to be held at Astoria, Oreg., August 10 to September 9, 1911, and by unanimous consent the request was ordered to be complied with.

THE COTTON SCHEDULE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12812) to reduce the duties on manufactures of cotton.

Mr. OVERMAN. I should like to inquire if the Senator from Iowa proposes to go on with his speech this afternoon.

Mr. CUMMINS. I do not intend to go on with my address this afternoon if it can be avoided.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culberson	Martine, N. J.	Simmons
Borah	Cummins	Myers	Smith, S. C.
Bourne	Dixon	O'Gorman	Smoot
Brandegee	Fletcher	Oliver	Stephenson
Brown	Foster	Overman	Swanson
Burnham	Gamble	Owen	Townsend
Burton	Johnston, Ala.	Page	Watson
Chilton	Jones	Perkins	Williams
Clarke, Ark.	Lippitt	Poindexter	Works
Crane	Lodge	Reed	
Crawford	Martin, Va.	Shively	

Mr. BURNHAM. I wish to state that my colleague [Mr. GALLINGER] is unavoidably absent.

The VICE PRESIDENT. Forty-two Senators have answered to the roll call—not a quorum.

Mr. SMOOT. I ask that the names of the absentees be called.

The VICE PRESIDENT. The Secretary will call the list of absentees.

The Secretary called the list of absentees and Mr. BANKHEAD, Mr. BRISTOW, Mr. DILLINGHAM, and Mr. SMITH of Michigan answered to their names when called.

Mr. BRYAN entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-seven Senators have answered to the roll call. A quorum of the Senate is present.

Mr. CUMMINS. I rise to a parliamentary inquiry. What is the question before the Senate?

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Iowa which the Secretary read a few moments ago.

Mr. OVERMAN. It is evident that the Senate does not want to go on this evening with the debate, and I suggest that unobjected bills on the calendar be taken up temporarily.

Mr. SMOOT. If the Senator will ask unanimous consent that that be done, it would not displace the unfinished business?

The VICE PRESIDENT. It would not, if the unfinished business were temporarily laid aside.

Mr. SMOOT. Then I ask that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. Is there objection? The Chair hears no objection, and the unfinished business is temporarily laid aside.

THE CALENDAR.

Mr. SMOOT. I move that the Senate proceed to the consideration of unobjected bills on the calendar under Rule VIII. The motion was agreed to.

The VICE PRESIDENT. The Secretary will call the first bill on the calendar.

The bill (S. 25) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real-estate brokers in the District of Columbia was announced as the first bill in order on the calendar.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as the next bill in order.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2925) providing for a Confederate naval monument in the Vicksburg National Military Park was announced as next in order.

Mr. HEYBURN. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

JOHN P. FITZGERALD.

The bill (S. 2246) to amend the military record of John P. Fitzgerald was considered as in Committee of the Whole. It proposes to amend the military record of John P. Fitzgerald, who enlisted and served under the assumed name of Joshua Porter in Company K, Seventh Regiment, and Company C, First Regiment, Michigan Volunteer Cavalry, from March 9, 1865, to March 10, 1866, and to issue to him an honorable discharge in his true name of John P. Fitzgerald.

Mr. SMOOT. There is a report, No. 104, on the bill, and I should like to have it read.

The VICE PRESIDENT. The report will be read.

The Secretary read the report, submitted by Mr. JOHNSTON of Alabama July 18, 1911, as follows:

The Committee on Military Affairs, to which was referred the bill (S. 2246) to amend the military record of John P. Fitzgerald, having had the same under consideration, reports it back to the Senate with the recommendation that it do pass.

This soldier was between 16 and 17 years old when he enlisted in the Army, and, on account of his father's opposition to his enlisting in the service, he went from his home in Jay County, Ind., to Jackson, Mich., walking a greater part of the distance, where he enlisted in a Michigan regiment under the name of Joshua Porter, to prevent his father from finding him and taking him back to his home.

He is now drawing a pension, and on February 3, 1910, the Treasury Department allowed his claim for travel pay from Salt Lake City, Utah, the place of discharge, to Jackson, Mich., amounting to \$211.17.

After his discharge he remained in the West, and never returned to Michigan or Indiana until after filing his claim for pension, when he returned to Michigan, at great inconvenience and an expense of about \$250, to procure the testimony of comrades showing his identity with the soldier who served as Joshua Porter, and there is now on file with his old claim in the Pension Bureau the affidavits of three comrades showing identity, on the strength of which his claims for pension and travel pay were allowed.

The War Department requires that before a discharge is issued in a soldier's true name he must furnish personal identity, or, in other words, to get a discharge certificate in his true name through regular channels Mr. Fitzgerald would be compelled to again go back to Michigan from the State of Washington, where he now lives, at great inconvenience and an expense that he is unable to bear; hence, as his service was an honorable one and his enlistment under an assumed name was not for the purpose of hiding a crime, and since the evidence on file in the Pension Bureau proves beyond any question of doubt that John P. Fitzgerald and Joshua Porter are one and the same person, your committee recommends that the bill do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND RESOLUTIONS PASSED OVER.

The bill (S. 854) to require the National Monetary Commission to make final report on or before December 4, 1911, and to repeal sections 17, 18, and 19 of the act entitled "An act to amend the national banking laws," approved May 30, 1908, the repeal to take effect December 5, 1911, was announced as next in order on the calendar.

The VICE PRESIDENT. This bill goes over under the unanimous-consent agreement.

The bill (S. 2792) to provide for the support and maintenance of bastards in the District of Columbia was announced as next in order.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. It will go over.

Senate resolution 109, submitted by Mr. NEWLANDS, providing for a certain program of legislation and for a recess of Congress, was announced as next in order.

Mr. HEYBURN. I ask that the resolution may go over.

The VICE PRESIDENT. It will go over on the request of the Senator from Idaho.

Senate concurrent resolution 4, submitted by Mr. POMERENE, directing the Attorney General of the United States to prosecute the Standard Oil Co. and the American Tobacco Co., was announced as next in order.

Mr. SMOOT. Let the concurrent resolution go over.

The VICE PRESIDENT. It will go over.

ALASKA NORTHERN RAILWAY.

The bill (S. 2534) to extend the time for the completion of the Alaska Northern Railway, and for other purposes, was considered as in Committee of the Whole.

Mr. SMOOT. There is a report on the bill, No. 113. I should like to have the report read.

The VICE PRESIDENT. The Secretary will read the report. The Secretary read the report, submitted by Mr. CHAMBERLAIN July 28, 1911, as follows:

The Committee on Territories, to whom was referred the bill (S. 2534) to extend the time for the completion of the Alaska Northern Railway, and for other purposes, have had the bill under consideration and report it back to the Senate unanimously without amendment, with the recommendation that it pass.

The promoters of the Alaska Northern Railway have in the process of construction a railroad 700 miles in length, which will extend from Seward to Fairbanks, they having already expended \$6,000,000 in this work; and the committee recommend that the extension of six years provided for in Senate bill 2534 be granted, so as to enable the parties interested in the construction of this railroad to comply with the requirements of the act of May 14, 1898, the provisions of which were extended by the act of March 2, 1909, for three years from that date, and which extension was found to be insufficient for them to meet the requirements of the law of May 14, 1898.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATUE OF GEN. JAMES MILLER AT PETERBORO, N. H.

The bill (S. 304) for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H., was considered as in Committee of the Whole.

Mr. SMOOT. I should like to have the Secretary read the report of the committee on this bill, it being Report No. 116.

The VICE PRESIDENT. The Secretary will read the report.

The Secretary read the report submitted by Mr. WETMORE August 4, 1911, as follows:

The Committee on the Library, to whom was referred the bill (S. 304) for the erection of a statue to the memory of Gen. James Miller, at Peterboro, N. H., have had the same under consideration, with the accompanying papers, and report it back without amendment.

Similar bills passed the Senate in the Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first Congresses, but were not acted upon in the House of Representatives.

[Extract from Senate Report No. 1157, Sixty-first Congress, third session.]

The Senate report of the Fifty-eighth Congress is as follows (S. Rept. No. 158, 58th Cong., 2d sess.):

The Committee on the Library, to whom was referred the bill (S. 1634) for the erection of a statue to the memory of Gen. James Miller, at Peterboro, N. H., have had the same under consideration, with the accompanying papers, and report it back without amendment.

Gen. James Miller, the hero of Lundys Lane, was born at Peterboro, N. H., April 25, 1776. He was educated for the law and admitted to practice in 1803. Shortly thereafter he commanded a company of artillery in the Militia of New Hampshire, where his military bearing, aptitude, and skill in maneuvering and drill attracted the attention of Gen. Benjamin Pierce, at whose earnest recommendation Capt. Miller was appointed, on July 8, 1808, major in the Fourth Infantry.

In 1811 the Fourth Infantry was ordered to Vincennes, Ind., and took part in Harrison's campaign terminating in the Battle of Tippecanoe.

Maj. Miller, however, was left at Vincennes during the campaign because of severe and continuous illness, but the regiment which had been disciplined and instructed by him received the very highest praise for its share in the campaign and the crowning battle.

In 1812 the regiment was ordered to Detroit. Lieut. Col. Miller was in command, the colonel, Boyd, having preceded them and acting as general during the campaign. War was declared June 18. On the 9th of August a detachment consisting of the available men of the Fourth Infantry, amounting to about 300, and a somewhat larger number of militia, all under command of Lieut. Col. Miller, encountered a force of British and Indians at Magagua or Brownstown. The enemy was somewhat superior in numbers, strongly intrenched, and awaiting the Americans on ground of their own selection. The Indian force was under the command of the celebrated Chief Tecumseh. The Americans attacked immediately, and after a severe struggle drove the enemy some miles.

Gen. Hull, who commanded in chief, declined to order or sanction further pursuit of the British, and one week thereafter, on the 16th of August, surrendered his force of over 2,000 men to the same commander, with scarcely more than half of his own number of troops, who had been so thoroughly beaten by Miller with an inferior force just one week before.

The disastrous termination of Hull's campaign naturally distracted public attention from such partial success as had been attained in its opening, but Miller was brevetted colonel for his action, and after the surrender the following letter was addressed to him:

ADJUTANT GENERAL'S OFFICE,
Washington City, December 14, 1812.

SIR: I am instructed by the Secretary of War to convey to you, and through you to the officers and soldiers of the Fourth Regiment of Infantry, who are prisoners of war, the high sense which the President entertains of the gallantry and good conduct by which you and they have been uniformly distinguished.

I am, sir, very respectfully, your obedient servant,

T. H. CUSHING,
Adjutant General.

Lieut. Col. JAMES MILLER.

Early in 1813 Col. Miller was exchanged for Lord Dacres. He took part in the indecisive campaign of 1813, but without any opportunity of distinction.

It was at the Battle of Niagara or Lundys Lane, fought on the 25th of July, 1814, that he rendered his next conspicuous service. The key point of the British position was the post of their field artillery. This Miller, with his regiment, stormed and captured. His reply, when asked if he could capture the battery, "I'll try, sir," became proverbial and had a prominent place in every description of the battle for many years.

Later, at Fort Erie, where an American force under command of Maj. Gen. Brown was besieged by the British, overwhelmingly superior in numbers and artillery, a sortie was made which defeated the British brigade in the trenches, destroyed their works, captured their artillery, and blew up their magazines, the effect of which was that the British

commander gave up the siege and retired without attempting any counterstroke with the two brigades that he still had intact.

In this affair Col. Miller, acting as general, had command of the center column and received the highest praise from his commanding officer for his conduct.

As already noted, Miller was brevetted colonel for his gallantry at Brownstown; he received the brevet of brigadier general for Lundys Lane and a gold medal from Congress conformably to the following resolution:

"Resolved, etc., That the President of the United States be requested to cause gold medals to be struck with suitable emblems and devices and presented to Brig. Gens. * * * Miller * * * in testimony of the high sense entertained by Congress of their gallantry and good conduct in the several conflicts of Chippewa, Niagara, and Fort Erie.

"Approved, November 3, 1814."

The State of New York also presented him a sword of honor "pursuant to resolution of the senate and assembly."

Gen. Miller was retained in service upon the reorganization of the Army, but resigned in 1819 and was appointed by President Monroe as governor of Arkansas, serving until 1823. The following year he was appointed collector of the port of Salem, Mass., which position he held until 1849. He died at Temple, N. H., July 7, 1851, at the age of 76.

GEN. MILLER'S OFFICIAL MILITARY RECORD.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, January 28, 1903.

SIR: In reply to your letter of the 23d instant to the Chief of the Record and Pension Office, War Department, which has been referred to this office, requesting the military record of Gen. James Miller, of New Hampshire, I have the honor to say that James Miller was appointed major, Fourth Infantry, July 8, 1808; was promoted to be lieutenant colonel, Fifth Infantry, November 30, 1810; was transferred to the Sixth Infantry September 14, 1812; was promoted to be colonel, Twenty-first Infantry, March 9, 1814; and was transferred to the Fifth Infantry May 17, 1815. He resigned from the service June 1, 1819, and died July 7, 1851, at Temple, N. H.

He was brevetted colonel August 9, 1812, for distinguished service at Brownstown, upper Canada, and brigadier general July 25, 1814, for distinguished service at Niagara Falls, upper Canada. A resolution of Congress of November 3, 1814, awarded him a gold medal in testimony of the high sense entertained by Congress of his gallantry and good conduct in the several conflicts of Chippewa, Niagara, and Fort Erie, upper Canada.

I inclose for your information copy of a biographical sketch of Gen. Miller given in the report of the adjutant general of New Hampshire for 1868, which contains some information not found on the official records of this office.

Very respectfully,

H. C. CORBIN,
Adjutant General, Major General, United States Army.

Hon. GEORGE PRABODY WETMORE,
Chairman Committee on the Library, United States Senate.

The following sketch of Gen. Miller appears in the report of the adjutant general of New Hampshire for 1868:

Col. Miller was a native of Peterboro, the son of James Miller, of that town, who was of Scotch-Irish stock, from the north of Ireland, and was born April 25, 1776. After pursuing his studies in the academy at Amherst, and for a time in the college at Middlebury, Vt., he entered upon the study of law in the office of James Wilson, Esq., of Peterboro. Having finished his course of study, he was admitted to the bar of his native county in 1803. He settled in the practice of the law in the neighboring town of Greenfield, where he was soon in command of the company of artillery attached to the Twenty-sixth Regiment of the New Hampshire Militia. His military bearing, aptitude, and skill in maneuvering and drill attracted the attention of Gen. Benjamin Pierce, and at his earnest recommendation Capt. Miller was appointed major of the Fourth Regiment of the United States Infantry, commanded by Col. John P. Boyd, and then stationed at Fort Independence, in the Harbor of Boston. His commission bears date March 3, 1809, taking rank from the 8th of July, 1808. This regiment contained many officers and men from New Hampshire, and after Maj. Miller's appointment to it many more joined the regiment from the interior of New Hampshire. At the battles of Brownstown, Chippewa, Niagara, and "the sortie on Erie," he won distinguished honors. After the battle of Niagara he was made a brigadier. On the 3d of November, 1814, Congress presented him with a gold medal and the unanimous thanks of that body. The State of New York, through its senate and assembly, presented him with a sword. It is inscribed as follows:

"Presented by his excellency, Daniel D. Tompkins, governor of the State of New York, pursuant to resolutions of the senate and assembly of the said State, to Brigadier-General Miller, as a testimony of gratitude for his services and admiration of his gallant conduct."

Upon the close of the war Gen. Miller returned to his native State and devoted himself to agricultural pursuits.

In 1819 he was appointed governor of the Territory of Arkansas by President Monroe, but the climate not agreeing with him, in 1823 he returned to Temple in poor health. The following year he was appointed collector of the port of Salem. This position he held for 24 years, when his health becoming still more enfeebled by paralysis, in 1849 he resigned his office of collector and was succeeded by his youngest son. Upon his resignation he retired to his farm in Temple, where he died July 7, 1851, in the 76th year of his age. Gen. Miller was a Christian and a gentleman, as well as a gallant soldier. He won the respect of all who knew him.

BATTLE OF LUNDYS LANE.

[From Richardson's Index to the Messages and Papers of the Presidents.]

After his defeat at Chippewa, in 1814, Gen. Riall (British) retired by way of Queenston toward the head of Lake Ontario. He was soon reinforced and returned to attack the Americans under Brown, who had pursued him as far as Queenston. Hearing of the British reinforcements Brown retreated to the Chippewa River, and on July 24, 1814, encamped on the south bank, where he had defeated Riall on the 5th. On the 25th Gen. Scott, with 1,200 men, went forward to reconnoiter and came upon the British Army, 4,500 strong, near Niagara Falls, on Lundys Lane, a road leading from the Falls to the end of Lake Ontario. Soon the entire American force was engaged, the battle lasting from sunset till midnight. The American forces numbered about 2,500 men. During the engagement Gen. Scott and Lieut. Col. Miller

distinguished themselves for daring and efficiency. The British were finally driven back and forced to abandon their artillery, ammunition, and baggage. Both armies claimed the victory, though both left the field. The American loss was 171 killed, 571 wounded, and 110 missing—a total of 852 out of an army of 2,500. The British lost 84 killed, 559 wounded, 193 missing, and 42 prisoners—a total of 878 out of an army of 4,500. Gens. Brown and Scott were among the wounded.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRESIDENT PRO TEMPORE FOR MONDAY.

Mr. SMOOT. I desire to state to the Senate that the Vice President will be compelled to be out of the city on Monday next, August 14, and, therefore, Mr. President, I move that the Senator from Georgia [Mr. Bacon] be the President pro tempore of the Senate for that day.

The VICE PRESIDENT. The Senator from Utah moves that the Senator from Georgia [Mr. Bacon] be President pro tempore of the Senate for Monday, August 14. The question is on that motion.

The motion was unanimously agreed to.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to, and (at 2 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, August 14, 1911, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 12, 1911.

PROMOTIONS IN THE NAVY.

Commander Alexander S. Halstead to be a captain in the Navy from the 1st day of July, 1911, to fill a vacancy.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1911, to fill vacancies:

Henry B. Soule,
Walter M. Hunt, and
Zachariah H. Madison.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1911, to fill vacancies:

Walter W. Lorshbough,
Robert L. Ghormley, and
Herbert B. Riebe.

Civil Engineer Richard C. Hollyday, with the rank of commander, to be a civil engineer in the Navy, with the rank of captain, from the 13th day of March, 1911.

Civil Engineer Frank T. Chambers, with the rank of lieutenant commander, to be a civil engineer in the Navy, with the rank of commander, from the 13th day of March, 1911.

Asst. Civil Engineer Samuel Gordon to be a civil engineer in the Navy from the 13th day of March, 1911, to fill a vacancy.

Asst. Civil Engineer Paul J. Bean to be a civil engineer in the Navy from the 5th day of May, 1911, to fill a vacancy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 12, 1911.

AMBASSADORS.

John G. A. Leishman to be ambassador extraordinary and plenipotentiary to Germany.

Thomas J. O'Brien to be ambassador extraordinary and plenipotentiary to Italy.

Charles Page Bryan to be ambassador extraordinary and plenipotentiary to Japan.

MINISTERS.

John R. Carter to be envoy extraordinary and minister plenipotentiary to the Argentine Republic.

Larz Anderson to be envoy extraordinary and minister plenipotentiary to Belgium.

Arthur M. Beaupré to be envoy extraordinary and minister plenipotentiary to Cuba.

Lloyd Bryce to be envoy extraordinary and minister plenipotentiary to the Netherlands and Luxemburg.

John B. Jackson to be envoy extraordinary and minister plenipotentiary to Roumania, Servia, and Bulgaria.

RECEIVERS OF PUBLIC MONEYS.

Hugh Scott to be receiver of public moneys at Guthrie, Okla.

Albert Saylor to be receiver of public moneys at Seattle, Wash.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

First Lieut. Edgar D. Craft for appointment as first lieutenant in said corps, with rank from March 18, 1911.

[On June 29, 1911, Lieut. Craft, then a first lieutenant in the Medical Reserve Corps, was nominated to the Senate for appointment as first lieutenant in the Medical Corps, with rank from February 17, 1911, and his nomination was confirmed by the Senate on July 6, 1911. This message is submitted for the purpose of correcting an error in the date of the rank of the nominee.]

MEDICAL RESERVE CORPS.

To be first lieutenants.

William Gregg Gill.
Thomas Wyatt Grice.
Chester Raymond Haig.
Robert Morris Hardaway.
Thomas Everett Harwood, jr.
Howard Lane Hull.
Charles Peter Kennedy.
Harry Rex McKellar.
Alvin Charles Miller.
Henry Chilton Osborn.
Thomas Ewing Scott.
Charles Moore Walson.
William Francis Wild.
Neal Naramore Wood.
Hew Bernard McMurdo.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Innis P. Swift.
Second Lieut. Joseph D. Park.
Second Lieut. Arthur H. Wilson.

COAST ARTILLERY CORPS.

Maj. Oscar I. Straub to be lieutenant colonel.
Capt. Benjamin M. Koehler to be major.

INFANTRY.

Chaplain John E. Dallam to be chaplain with the rank of captain.

PROMOTIONS IN THE NAVY.

Commander Frank K. Hill to be a captain.

Lieut. Commander George W. Laws to be a commander.

Lieut. Joseph R. Defrees to be a lieutenant commander.

Lieut. (Junior Grade) William P. Gaddis to be a lieutenant.

The following-named lieutenants (junior grade) to be lieutenants:

Conant Taylor,
Arthur L. Bristol, jr., and
Stephen W. Wallace.
Passed Asst. Surg. Robert E. Hoyt to be a surgeon.
Robert F. Jones, a citizen of Virginia, to be an assistant surgeon.

POSTMASTERS.

ALABAMA.

Frank W. Slocumb, Headland.

IOWA.

James L. Brown, Clarinda.
Hiram Lamb, Murray.
Alfred D. McCulloch, Humeston.

MARYLAND.

Harry C. Bowie, La Plata.

MISSISSIPPI.

William J. James, Lyman.

PENNSYLVANIA.

George A. Carter, Meshoppen.
William H. Davis, Pittsburgh (late Pittsburg).

TEXAS.

John M. Cape, San Marcos.

WISCONSIN.

Frank E. Shults, Baraboo.